



# INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

*We Protect Hoosiers and Our Environment.*

*Mitchell E. Daniels, Jr.*  
Governor

*Thomas W. Easterly*  
Commissioner

100 North Senate Avenue  
Indianapolis, Indiana 46204  
(317) 232-8603  
Toll Free (800) 451-6027  
[www.idem.IN.gov](http://www.idem.IN.gov)

August 16, 2010

Mr. James F. Tolen  
Peabody Midwest Mining LLC  
7100 Eagle Crest Boulevard, Suite 100  
Evansville, Indiana 47715

Dear Mr. Tolen:

Re: Modification Request for  
NPDES General Permit No. ING040154  
IDNR Permit No. S-0308  
Peabody Midwest Mining LLC Viking Mine- Corning Pit  
County Road 900 East at County Road 350 South  
Cannelburg, Indiana  
Daviess County

Your NPDES permit application submittal dated June 21, 2010, to request modification of the above-referenced permit, has been reviewed. The submittal requested the addition of new alkaline status Outfall 34 (latitude 38°, 36', 31", longitude 87°, 01', 32"), and Outfall 035 (latitude 38°, 36', 08", longitude 87°, 01', 44"), both discharging to Aikman Creek, Outfall 123 (latitude 38°, 36', 19", longitude 87°, 01', 44"), discharging to an unnamed tributary to Aikman Creek, and Outfall 133 (latitude 38°, 35', 15", longitude 87°, 01', 44"), discharging to an unnamed tributary to Dogwood Lake. Existing Outfalls 023 and 030 are to be dropped. The request has been processed in accordance with Section 402 and 405 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251, et seq.), and IDEM's permitting authority under IC 13-15. Our office has confirmed with representatives of the INDR in Jasonville that Outfalls 023 and 030 have been removed. We have further determined that the addition of the new outfalls will not affect this facility's eligibility for coverage under the general permit rules outlined in 327 IAC 15-1 through 15-4 and 327 IAC 15-7, Facilities Engaged in Mining of Coal, Coal Processing, and Reclamation Activities, nor will the additional outfall points affect the site's ability to meet the reporting requirements. Therefore your petition to drop existing Outfalls 023 and 030 from the above-referenced permit and to add new Outfalls 034, 035, 123, and 130 as described above has been approved in accordance with Indiana Rules promulgated under 327 IAC 15-7. All outfalls listed in the first table of Attachment 1 to this correspondence will now be included for coverage at this site.

The NPDES general permit identification number assigned to this facility in the previous approval will continue to apply, as will all other testing and reporting that are required under 327 IAC 15-7 using the forms that were sent to you previously. Should you need additional copies of this form it is also available on the internet at the following web site:

<http://www.in.gov/idem/5104.htm>

Mr. James F. Tolen  
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327 IAC 15-7 is also available on the internet at the following website:

<http://www.in.gov/idem/4087.htm>

Additionally, you will continue to receive the computer generated preprinted federal NPDES DMR forms. Both the state and federal forms need to be completed and submitted on a routine basis. If you do not receive the preprinted DMR forms in a timely manner, please call this office at 317-232-8670.

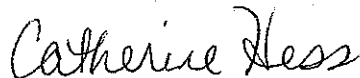
These modifications shall become effective on **September 1, 2010**, unless a person aggrieved or adversely affected by the acceptance appeals this decision. Coverage under 327 IAC 15-7 for all outfalls remains effective, and will expire on June 30, 2013. In order to receive authorization to discharge beyond the date of expiration, the permittee shall submit such information and forms as required by the Indiana Department of Environmental Management no later than ninety (90) days prior to the date of expiration.

Please note that any person who is adversely affected or aggrieved by approval under the cited NPDES general permit rule may, within eighteen (18) days from the mailing date of this notification, appeal this acceptance by filing a written petition for administrative review with the Office of Environmental Adjudication, in accordance with IC 4-21.5-3-7. This petition constitutes a request for an adjudicatory hearing. The procedure for appeal is outlined in more detail on the attached page.

The Office of Environmental Adjudication will provide parties who request review of this approval with notice of prehearing conferences, preliminary hearings, hearing, and stays or orders disposing of all proceedings. Nonparties may receive such notices without intervening and formally becoming parties in the proceeding by requesting copies of such notices from the Office of Environmental Adjudication.

If you have any questions regarding this letter, please contact Ms. Sheri L. Jordan of our office at (317) 232-8703.

Sincerely,



Catherine Hess, Chief  
Permits Administration Section  
Office of Water Quality

Slj/

Attachement

cc: Daviess County Health Department

ATTACHMENT 1

**Peabody Midwest Mining LLC Viking Mine- Corning Pit**

NPDES PERMIT NO. ING040154

IDNR PERMIT NOS. S-0308

EFFECTIVE DATE: **September 1, 2010**

OUTFALLS PERMITTED FOR THIS FACILITY

OUTFALL	DNR BASIN	LATITUDE	LONGITUDE	MINE DRAINAGE STATUS	RECEIVING WATER
003	S-0308 003	38°, 35', 05"	87°, 02', 22"	Alkaline	West Fork Sugar Creek
004	S-0308 004	38°, 35', 32"	87°, 00', 04"	Acid	West Fork Sugar Creek
005	S-0308 005	38°, 36', 19"	87°, 59', 26"	Acid	East Fork Sugar Creek
009	S-0308 009	38°, 36', 41.6"	87°, 00', 40.9"	Reclamation	Aikman Creek
011	S-0308 011	38°, 36', 45"	87°, 00', 06"	Undetermined	Aikman Creek
012	S-0308 012	38°, 35', 49"	87°, 59', 55"	Undetermined	West Fork Sugar Creek
024	S-0308 024	38°, 36', 25.9"	87°, 01', 36.6"	Undetermined	Aikman Creek
025	S-0308 025	38°, 35', 58.5"	87°, 01', 25.4"	Undetermined	Unnamed tributary to Aikman Creek
026	S-0308 026	38°, 34', 59.7"	87°, 01', 18.5"	Undetermined	Unnamed tributary to Dogwood Lake
027	S-0308 027	38°, 34', 58.8"	87°, 01', 48.4"	Alkaline	Unnamed tributary to Dogwood Lake
028	S-0308 028	38°, 35', 28.9"	87°, 01', 47.1"	Alkaline	Unnamed tributary to Dogwood Lake
029	S-0308 029	38°, 35', 21.3"	87°, 01', 50.3"	Alkaline	Unnamed tributary to Dogwood Lake
031	S-0308 031	38°, 34', 59.1"	87°, 02', 11.4"	Alkaline	Unnamed tributary to Dogwood Lake
032	S-0308 032	38°, 34', 58.5"	87°, 02', 31.6"	Alkaline	Unnamed tributary to Dogwood Lake
034	S-0308 034	38°, 36', 31"	87°, 01', 32"	Alkaline	Aikman Creek
035	S-0308 035	38°, 36', 08"	87°, 01', 44"	Alkaline	Aikman Creek
123	S-0308 023 Ph. 2	38°, 36', 19"	87°, 01', 44"	Alkaline	Unnamed tributary to Aikman Creek
133	S-0308 033	38°, 35', 15"	87°, 01', 44"	Alkaline	Unnamed tributary to Dogwood Lake

The following outfalls have been removed and are no longer covered under this permit:

001	S-0308 001	38°, 35', 25"	87°, 0', 29"	Alkaline	West Fork Sugar Creek
002	S-0308 002	38°, 35', 08"	87°, 0', 30"	Alkaline	West Fork Sugar Creek
006	S-0308 006	38°, 36', 14.9"	87°, 01', 1.7"	Alkaline	West Fork Sugar Creek
007	S-0308 007	38°, 36', 34.1"	87°, 0', 57.7"	Alkaline	Aikman Creek
008	S-0308 008	38°, 36', 32"	87°, 0', 46"	Alkaline	Aikman Creek
010	S-0308 010	38°, 36', 30"	87°, 59', 55"	Alkaline	Aikman Creek
013	S-0308 013	38°, 36', 35"	87°, 01', 7.9"	Alkaline	Aikman Creek
014	S-0308 014	38°, 36', 27.3"	87°, 01', 1.8"	Alkaline	Aikman Creek
015	S-0308 015	38°, 36', 29.9"	87°, 01', 14"	Alkaline	Aikman Creek
016	S-0308 016	38°, 36', 27.9"	87°, 01', 34.6"	Alkaline	Aikman Creek
019	S-0308 019	38°, 36', 44"	87°, 0', 35"	Alkaline	Aikman Creek
020	S-0308 020	38°, 35', 53"	87°, 00', 19"	Undetermined	Aikman Creek
021	S-0308 021	38°, 35', 41.7"	87°, 0', 35.9"	Alkaline	West Fork Sugar Creek
022	S-0308 022	38°, 35', 8.7"	87°, 01', 16.2"	Alkaline	Dogwood Lake
023	S-0308 023	38°, 36', 18.8"	87°, 01', 48.6"	Alkaline	Unnamed tributary to Aikman Creek
030	S-0308 030	38°, 35', 6.2"	87°, 01', 57.4"	Alkaline	Unnamed tributary to Dogwood Lake

STATE OF INDIANA  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

PUBLIC NOTICE NO. 2010 – 8D -GP

DATE OF NOTICE: August 16, 2010

The Office of Water Quality issues the following NPDES GENERAL PERMIT.

**MODIFICATION**

**PEABODY MIDWEST MINING LLC-VIKING MINE CORNING PIT**, Permit No. ING040154, DAVIESS COUNTY, Cannelburg, IN. This modification is being issued because the facility is adding several outfalls that will discharge to unnamed tributaries to Aikman Creek and/or Dogwood Lake and deleting 2 outfalls. The Notice of Intent (NOI) letter submitted complies with the requirements in 327 IAC 15-7, Facilities Engaged in Mining of Coal, Coal Processing and Reclamation Activities. Permit Writer: Sheri Jordan at 317/232-8703.

**PROCEDURES TO APPEAL**

General Permit documents are available for inspection at IDEM, Office of Water Quality/Permit Section, IGCN, 100 N Senate Ave, Indianapolis, IN, Room 1203, from 9 - 4, Monday-Friday (copies 10¢ per page). The General Permit is also available at the local Health Department. Please tell others you think would be interested in this matter.

**Appeal Procedure:** Any person affected by the issuance of the Final Permit may appeal by filing a Petition for Administrative Review with the Office of Environmental Adjudication within eighteen (18) days of the date of this Public Notice. Any appeal request must be filed in accordance with IC 4-21.5-3-7 and must include facts demonstrating that the party requesting appeal is the applicant; a person aggrieved or adversely affected or is otherwise entitled to review by law.

**Timely filing:** The Petition for Administrative Review must be received by the Office of Environmental Adjudication (OEA) within 18 days of the date of this Public Notice; either by U.S. Mail postmark or by private carrier with dated receipt. This Petition for Administrative Review represents a request for an Adjudicatory Hearing, therefore must:

- state the name and address of the person making the request;
- identify the interest of the person making the request;
- identify any persons represented by the person making the request;
- state specifically the reasons for the request;
- state specifically the issues proposed for consideration at the hearing;
- identify the Final Permit Rule terms and conditions which, in the judgment of the person making the request, would be appropriate to satisfy the requirements of the law governing this NPDES Permit rule.

If the person filing the Petition for Administrative Review desires any part of the NPDES Final Permit Rule to be stayed pending the outcome of the appeal, a Petition for Stay must be included in the appeal request, identifying those parts to be stayed. Both Petitions shall be mailed or delivered to the address here:  
**Phone: 317/232-8591.**

Environmental Law Judge  
Office of Environmental Adjudication  
IGC – North Building- Rm 501  
100 N. Senate Avenue  
Indianapolis IN 46204

**Stay Time frame:** If the Petition (s) is filed within eighteen (18) days of the mailing of this Public Notice, the effective date of any part of the permit, within the scope of the Petition for Stay is suspended for fifteen (15) days. The Permit will become effective again upon expiration of the fifteen (15) days, unless or until an Environmental Law Judge stays the permit action in whole or in part.

**Hearing Notification:** Pursuant to Indiana Code, when a written request is submitted, the OEA will provide the petitioner or any person wanting notification, with the Notice of pre-hearing conferences, preliminary hearings, hearing stays or orders disposing of the Petition for Administrative Review. Petition for Administrative Review must be filed in compliance with the procedures and time frames outlined above. Procedural or scheduling questions should be directed to the OEA at the phone listed above.





Indiana Department of Environmental Management  
NPDES General Permit Notice of Intent (NOI) Letter Submittal Application  
327 IAC 15-7 Facilities Engaging in Mining of Coal, Coal Processing and Reclamation Activities

IDEM - AR  
PAID  
2010 JUN 27 A 11:33  
IDEM OFFICE OF WATER QUALITY

**I. PURPOSE OF SUBMITTAL:**

Please check one box. Also provide existing permit number and reason for modification if applicable. You may attach additional sheets if they are needed.

NEW	RENEW	MODIFY	EXISTING PERMIT NO.	IF MODIFICATION WHAT IS CHANGING
		X	ING040154	Adding outfalls 23R, 30R, 034, and 035 as Alkaline Status outfalls. Dropping 023, and 030 (relocated)

**II. GENERAL INFORMATION**

Complete all boxes in sections a and b for name of company and person who is to receive the permit. Complete boxes in sections c, d, e, f, g, h, and i or fill in N/A for non-applicable as they apply for the facility that the permit is to apply to.

a. APPLICANT NAME (TO THE ATTENTION OF)			e. FACILITY SIC CODE		f. FACILITY COUNTY		g. DNR FACILITY NUMBER	
Peabody Midwest Mining, LLC. Attn: James F. Tolen			1211		Daviness		S-00308	
b. APPLICANT'S COMPANY AND COMPLETE MAILING ADDRESS			h. LATITUDE AND LONGITUDE OF APPROXIMATE FACILITY CENTER					
COMPANY NAME Peabody Midwest Mining, LLC.			Latitude			Longitude		
STREET ADDRESS 7100 Eagle Crest Boulevard, Suite 100			Degrees	minutes	seconds	degrees	minutes	seconds
CITY Evansville,	STATE IN	ZIP CODE 47715	38°	35'	58"	87°	01'	37"
c. FACILITY NAME			i. FACILITY TOWNSHIP, RANGE, SECTION, QUARTER SECTION					
Peabody Midwest Mining, LLC. Viking Mine - Corning Pit			Township	Range	Section		Quartersection	
			2N	5W	17, 18			
			2N	6W	13, 14, 23, 24			
d. FACILITY MAILING ADDRESS			j. FACILITY PHYSICAL LOCATION IF DIFFERENT FROM IId					
STREET ADDRESS C.R. 850E			STREET ADDRESS CR 900E at CR350S, Cannelburg, IN 47519					
CITY Cannelburg	STATE IN	ZIP CODE 47519	CITY N/A		STATE N/A		ZIP CODE N/A	

**III. CONTACT INFORMATION AUTHORIZED SIGNATORY**

This section applies to the responsible corporate officer and/or alternate person who is authorized in writing by the responsible corporate officer to carry signatory responsibilities for the facility under 327 IAC 15-4-3 (g). Please complete all boxes or mark N/A for non-applicable. If the signatory is not a corporate officer please also submit the letter from the responsible corporate officer granting him/her this authority.

a. APPLICANT SIGNATORY CONTACT PERSON AND TITLE		d. ALTERNATE PERSON TO ANSWER QUESTIONS	
James F. Tolen, Authorized Representative		N/A	
b. APPLICANT SIGNATORY CONTACT PERSON TELEPHONE		e. ALTERNATE PERSON'S TELEPHONE	
(812) 434-8573		N/A	
c. APPLICANT EMAIL ADDRESS		f. ALTERNATE PERSON'S EMAIL ADDRESS	
jftolen@peabodyenergy.com		N/A	

**IV. CONTACT INFORMATION OTHER:**

<b>DISCHARGE MONITORING REPORTS CONTACT AND MAILING INFORMATION</b>		c. <u>CONTACT AND COMPANY NAME</u> <b>James F. Tolen</b> <b>Peabody Midwest Mining, LLC.</b>	
a. <u>CONTACT TELEPHONE NUMBER</u> <b>(812) 434-8573</b>		d. <u>STREET ADDRESS</u> <b>7100 Eagle Crest Boulevard, Suite 100</b>	
b. <u>CONTACT EMAIL ADDRESS</u> <b>jftolen@peabodyenergy.com</b>		e. <u>CITY</u> <b>Evansville</b>	f. <u>STATE</u> <b>IN</b>
		g. <u>ZIP CODE</u> <b>47715</b>	
<b>ANNUAL FEE AND FINANCIAL CONTACT AND BILLING ADDRESS</b>		i. <u>COMPANY AND CONTACT PERSON NAME</u> <b>James F. Tolen</b>	
h. <u>CONTACT TELEPHONE NUMBER</u> <b>(812) 434-8573</b>		k. <u>STREET ADDRESS</u> <b>7100 Eagle Crest Boulevard, Suite 100</b>	
i. <u>CONTACT EMAIL ADDRESS</u> <b>jftolen@peabodyenergy.com</b>		l. <u>CITY</u> <b>Evansville</b>	m. <u>STATE</u> <b>IN</b>
		n. <u>ZIP CODE</u> <b>47715</b>	
<b>OTHER CONTACT AND MAILING INFORMATION (SPECIFY BELOW)</b>		q. <u>COMPANY AND CONTACT PERSON NAME</u> <b>N/A</b>	
N/A			
o. <u>CONTACT TELEPHONE NUMBER</u> <b>N/A</b>		r. <u>STREET ADDRESS</u> <b>N/A</b>	
p. <u>CONTACT EMAIL ADDRESS</u> <b>N/A</b>		s. <u>CITY</u> <b>N/A</b>	t. <u>STATE</u> <b>N/A</b>
		u. <u>ZIP CODE</u> <b>N/A</b>	

**V. RULE QUALIFICATION:**

The purpose of this rule is to regulate wastewater discharges from surface mining, underground mining, and reclamation projects which utilize sedimentation basin treatment for pit dewatering and surface run-off and to require best management practices for storm water run-off.

Does this facility meet these requirements? (please check one) **YES** ☒ **X** ☐ **NO**

Please provide a brief description of the facility operation that results in the discharge. You may attach additional sheets.

**This facility is a surface coal mine. Stormwater is collected, and passed through sediment treatment structures designed by professional engineers to detain a 10year-24hour storm event.**

**VI. OUTFALL INFORMATION:** Please fill out the following information FOR ALL OUTFALLS

a. IDEM OUTFALL NO.	b. DNR BASIN NO.	c. LATITUDE			d. LONGITUDE			e. DWBF*	f. MINE DRAINAGE STATUS	g. Is this discharge to a STORM SEWER	h. Name of RECEIVING WATER OR if g is <b>YES</b> name of OPERATOR OF MUNICIPAL STORM SEWER, AND WATER IT DISCHARGES TO
		deg	min	sec.	deg	min	sec.				
<b>See Attachment VI</b>										Y / N	
										Y / N	
										Y / N	
										Y / N	
										Y / N	
										Y / N	

\* DWBF – Dry Weather Base Flow

# Attachment VI

VI. OUTFALL INFORMATION: Please fill out the following information FOR ALL OUTFALLS											
a. IDEM OUTFALL NO.	b. DNR BASIN NO.	c. LATITUDE			d. LONGITUDE			e. DWBF*	f. MINE DRAINAGE STATUS	g. Is this discharge to a STORM SEWER	h. Name of RECEIVING WATER OR if it is YES name of OPERATOR OF MUNICIPAL STORM SEWER, AND WATER IT DISCHARGES TO
		deg	min	sec	deg	min	sec				
003	003	38	35	05	87	02	22	0	Alkaline	N	West Fork, Sugar Creek
004	004	38	35	32	87	00	04	0	Acid	N	West Fork, Sugar Creek
005	005	38	36	19	87	59	26	0	Acid	N	East Fork, Sugar Creek
009	009	38	36	41.6	87	00	40.9	0	Reclamation	N	Aikman Creek
011	011	38	36	45	87	00	06	0	Alkaline	N	Aikman Creek
012	012	38	35	49	87	59	55	0	Undetermined	N	West Fork, Sugar Creek
023	023	38	36	18.8	87	01	48.6	0	Drop	N	Unnamed trib to Aikman Creek
024	024	38	36	25.9	87	01	36.6	0	Alkaline	N	Aikman Creek
025	025	38	35	58.5	87	01	25.4	0	Alkaline	N	Unnamed trib to Aikman Creek
026	026	38	34	59.7	87	01	18.5	0	Alkaline	N	Unnamed trib to Dogwood Lake
027	027	38	34	58.8	87	01	48.4	0	Alkaline	N	Unnamed trib to Dogwood Lake
028	028	38	35	28.9	87	01	47.1	0	Alkaline**	N	Unnamed trib to Dogwood Lake
029	029	38	35	21.3	87	01	50.3	0	Alkaline**	N	Unnamed trib to Dogwood Lake
030	030	38	35	06.2	87	01	57.4	0	Drop	N	Unnamed trib to Dogwood Lake
031	031	38	34	59.1	87	02	11.4	0	Alkaline**	N	Unnamed trib to Dogwood Lake
032	032	38	34	58.5	87	02	31.6	0	Alkaline**	N	Unnamed trib to Dogwood Lake
034	034	38	36	31	87	01	32	0	Alkaline**	N	Aikman Creek
035	035	38	36	08	87	01	44	0	Alkaline**	N	Aikman Creek
123	023 Phase 2	38	36	19	87	01	44	0	Alkaline	N	Unnamed trib to Aikman Creek
133	033	38	35	15	87	01	44	0	Alkaline	N	Unnamed trib to Dogwood Lake

\*DWBF – Dry Weather Base Flow

\*\* unconstructed

**VII. OUTFALL INFORMATION FOR MODIFICATIONS:** Please provide the following if this is a request to ADD, DELETE, or CHANGE MINE DRAINAGE STATUS of one or more outfalls:

a. IDEM OUTFALL NO.	b. DNR BASIN NO.	c. DEL, ADD, or CHANGE	d. DATE OF CHANGE	e. REASON FOR THE CHANGE: EXPLAIN IN DETAIL AND ATTACH CONFIRMING DOCUMENTATION IN THE FORM OF INSPECTORS REPORTS, LAB DATA, ETC.
030	030	DROP	71/15/2010	This sediment basin is no longer needed.
034	034	ADD	71/15/2010	This sediment basin is planned to be constructed with an Alkaline Status Outfall.
035	035	ADD	71/15/2010	This sediment basin is planned to be constructed with an Alkaline Status Outfall.
123	023 Ph 2	ADD	71/15/2010	This sediment basin is planned to be constructed with an Alkaline Status Outfall.
133	033	ADD	71/15/2010	This sediment basin is planned to be constructed with an Alkaline Status Outfall.

**VIII. TOPOGRAPHICAL MAP**

A topographical map must be submitted with this application. The map must include the following items:

- (A) the location of the coal mining operation, including contiguous facility property lines, shown clearly and identified by name and by mark;
- (B) the location of each numbered outfall shown clearly and identified by number and by mark;
- (C) the receiving streams and tributaries to them that each outfall discharges to shown clearly and identified by name;
- (D) any existing permanent structures or roads in the area shown clearly and identified by name.

Please attach this completed map to the application and submit both together.

**IX. PROOF OF PUBLICATION**

It is required that a public notice statement be published in a newspaper of largest circulation in the area where the discharge(s) will be occurring. This publication must be in the newspaper for a minimum of one day and must include the following language: (your facility name, address, address of the location of the discharging facility, and the streams receiving the discharge(s)) "is submitting a Notice of Intent letter to notify the Indiana Department of Environmental Management of our intent to comply with the requirement under 327 IAC 15-7 to discharge wastewater associated with the mining of coal, coal processing and /or reclamation activities. Any person aggrieved by this action may appeal in writing to the Environmental Law Judge of the Office of Environmental Adjudication for an adjudicatory hearing on the question of whether this facility should operate under this NPDES general permit rule. An appeal must be postmarked no later than fifteen (15) days from the date of this public notice. Such a written request for an adjudicatory hearing must:

- (A) state the name and address of the person making the request;
- (B) identify the interest of the person making the request;
- (C) identify any persons represented by the person making the request;
- (D) state with particularity the reasons for the request;
- (E) state with particularity the issues proposed for consideration at the hearing; and
- (F) state with particularity the reasons why the NPDES general permit rule should not be available to the discharger identified in this notice.

Any such request shall be mailed or delivered to:  
Office of Environmental Adjudication  
Indiana Government Center- North  
100 North Senate Avenue, Room N501  
Indianapolis, Indiana 46204"

Please attach proof of publication of this statement from the newspaper to the application and submit both together.

**Please note: The public notice for this area was published with the original Notice of Intent. This modification is to add outfalls in the area that was previously already public noticed.**

**X. POTENTIALLY AFFECTED PERSONS FORM**

Pursuant to IC 4-21.5 it is required that a Potentially Affected Person form be completed and submitted with this application. The form and instructions are attached.

**Please note: No additional persons are potentially affected by the addition of these outfalls. The original permit application included all potentially affected persons within, and adjacent to the permit area, unless noted herein.**

**XI. REQUIRED FEES:**

A \$50 application fee is required to be submitted with applications for new permits, permit modifications, and permit renewals in accordance with IC 13-18-20-12. In addition the \$500 annual fee is required to be submitted for NEW APPLICATIONS at the time of submitting the application.

**A check payable to IDEM in the amount of \$ 50.00 is attached to this application.**

**XII. NOTIFICATION OF INDIANA DEPARTMENT OF NATURAL RESOURCES**

It is required in all circumstances that a copy of this application is sent to the Indiana Department of Natural Resources (IDNR) Division of Reclamation in Jasonville, Indiana.

**I have forwarded a copy of this application as is required to Mr. Darrell Davis, Indiana Department of Natural Resources, Division of Reclamation, R. R. 2, Box 129, Jasonville, IN 47438-9517 on this date.**

**XIII. CERTIFICATION STATEMENT**

It is required by 327 IAC 15-4-3(g)(3) that the following statement shall be included in the application. The authorized signatory representative (as defined by 327 IAC 15-5-3(g)(2) and identified in item IIIa above) makes the following certification by signing and dating this section of the application below:

**"I certify under penalty of law that this document and all its attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."**

**James F. Tolen, Authorized Representative**

**(812) 434-8573**

Name and official title (type or print):

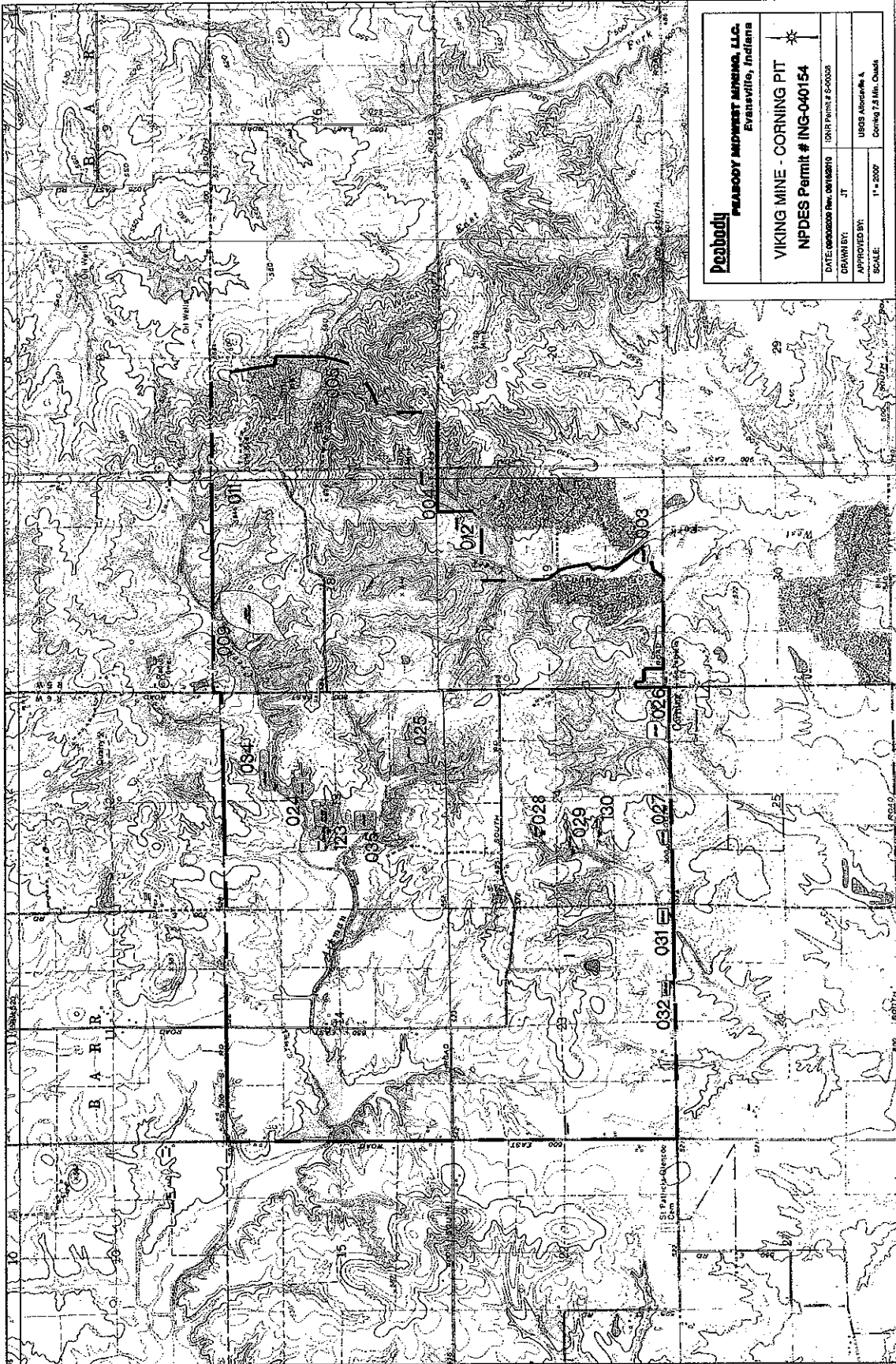
Area Code and phone No.:

Signature

Date signed

Submit completed form and attachments to the following address:

**Indiana Department of Environmental Management  
Office of Water Quality – Mail Code 65-42  
NPDES Permits Section  
100 North Senate Avenue  
Indianapolis, Indiana 46204-2251**



**Peabody**  
**PEABODY MIDWEST MINING, LLC**  
Evansville, Indiana

**VIKING MINE - CORNING PIT**  
**NPDES Permit # ING-040154**

DATE: 06/03/03 Rev. 06/16/03	DATE: 06/03/03
DRAWN BY: JT	USGS MapScale: 1:50,000
APPROVED BY:	Scale: 1" = 200'
SCALE:	Corning 2.5 Min. Contour